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E2/UK  
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**SPECIAL NOTICE TO E VISA APPLICANTS WITH BRITISH PASSPORTS**

The treaty between the United States and the United Kingdom, which governs the issuance of treaty trader (E-1) and treaty investor (E-2) visas, dates to 1815. The following explanation of the applicability of the treaty is taken from 9 FAM 41.51, Exhibit 1 of the Foreign Affairs Manual:

“The Convention which entered into force in 1815 applies only to British Territory in Europe (the British Isles (except the Republic of Ireland), the Channel Islands, and Gibraltar) and to “inhabitants” of such territory. This term, as used in the Convention, means “one who resides actually and permanently in a given place and has domicile there.””

Thus, in order for a British citizen to be issued a treaty investor or treaty trader visa, that person must be a resident in the United Kingdom on a permanent basis.

Since many British passport holders applying in Canada are landed immigrants here and reside permanently in Canada, they would be ineligible to apply for an E visa under the U.S./U.K. treaty. If such applicants also hold Canadian passports and their company is Canadian (i.e. at least 50% ownership by a Canadian citizen or corporation), they may apply under the U.S./Canada treaty.

British citizens working temporarily in Canada who wish to apply for an E visa must be prepared to demonstrate that their permanent residence is in the United Kingdom.